

**From:** Gabriel Winter  
**To:** Microsoft ATR  
**Date:** 1/23/02 10:27am  
**Subject:** Microsoft Settlement

To whom it may concern:

I am a partner and senior developer in a small startup company that is developing a web application technology for multiple platforms. We are one of many small businesses that are working hard to develop retail software products that will provide the industry with much needed software innovation.

At the moment, we have spent hundreds of thousands of our personal dollars to fund the development of a technology that will run on multiple operating systems using Sun's Java technology. As part of our plan, we are targeting a release to the Microsoft Windows family of operating systems.

With the release of Microsoft .NET, and the refusal of Microsoft to ally with Sun Microsystems in support of its Java product, the Java application support in Windows XP is sketchy at best. Microsoft has made it necessary for our customers on Windows to download a Java Plugin from Sun Microsystems for our software to run on that system. Due to the application barrier to entry that Microsoft uses, there is much industry doubt as to the stability and reliability of the Sun Java Plugin for Windows XP. This doubt, generated by Microsoft's clear domination of the operating systems market, absolutely hinders my company's abilities to market our technology to Windows users, effectively cutting us out of the Windows desktop market before we have even had a chance to get started.

Microsoft's answer to this is to tell us to develop our technology with Microsoft's .NET tools, which are only supported on Windows platforms. By doing this, our product would no longer interoperate with other operating systems and web browsers such as Netscape Navigator, again, considerably hurting our entry into especially the web hosting market which primarily uses Linux and Apache servers.

Microsoft has basically stated that we either comply and conform only to their own development technologies, or lose the Windows server and desktop markets completely, effectively putting us out of business.

I disagree with the current proposed settlement, because I feel that it does not provide an adequate "leash" on Microsoft. I believe that companies with alternative development technologies such as Sun Microsystems or Borland be given the same level of development support from Microsoft as its own development tools, such as .NET, are afforded. Only by doing so will we be guaranteed of a safe market entry with our own Java based products.

Thank you!

Respectfully,

Andy Carrasco  
CIO/Chief Software Architect  
Chirasu Corporation  
gabrielwinter@mac.com